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JUN 22 2005

Docket No. 10004466-2 US (4536-003)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
 BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Confirmation No. 4656
 Steven ROTH : Group Art Unit: 2116
 Serial No. 09/875,289 : Examiner: E. Chang
 Filed: June 7, 2001 :
 For: DYNAMIC KERNEL TUNABLES

**NOTICE OF APPEAL FROM THE
 PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner finally rejecting claims 1-30. Please charge the statutory appeal fee of \$500 to Deposit Account No. 08-2025. If in error, the Commissioner is hereby authorized to credit any overpayment or charge any omitted fees required to Deposit Account No. 08-2025.

Respectfully submitted,

Steven Roth

By:

Randy A. Noranbrock
 Randy A. Noranbrock
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Filed: June 22, 2005
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CERTIFICATION OF FACSIMILE TRANSMISSION
 I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE
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Roseanna Kaplan
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